

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4618

IN THE MATTER OF:

Served June 26, 1995

Investigation of Failure to Pay)	Case No. MP-95-18
Annual Fee and Order to Show Cause)	
Why Civil Forfeiture Should Not be)	
Assessed and Why Operating)	
Authority Should Not be Suspended)	
or Revoked, Directed to: BILL)	
APPELL, Trading as PERSONAL PACE)	
TOURS/TECH TOURS WASHINGTON,)	
WMATC No. 130)	

Investigation of Failure to File)	Case No. MP-95-40
Annual Report and Order to Show)	
Cause Why Civil Forfeiture Should)	
Not be Assessed and Why Operating)	
Authority Should Not be Suspended)	
or Revoked, Directed to: BILL)	
APPELL, Trading as PERSONAL PACE)	
TOURS/TECH TOURS WASHINGTON,)	
WMATC No. 130)	

These proceedings were initiated in Orders Nos. 4513 and 4514, served March 7, 1995, as a result of respondent's failure to timely pay a \$100 annual fee for 1995 and file an annual report for 1994. Order No. 4513 granted respondent thirty days to pay the annual fee and a \$50 civil forfeiture. Order No. 4514 granted respondent thirty days to file the annual report and either pay a civil forfeiture of \$50 or show cause why a civil forfeiture should not be assessed. The orders further provided that failure to timely comply would result automatically in suspension of respondent's operating authority.

Respondent failed to timely comply with Orders Nos. 4513 and 4514, thus triggering the automatic suspension of respondent's operating authority at 12:01 a.m., April 7, 1995.

Each order further provided that upon automatic suspension respondent would have thirty days to show cause why its certificate of authority should not be revoked for failure to comply with the requirements of the order. To date, no response has been forthcoming. A carrier's failure to file an annual report has long been considered grounds for revocation.¹

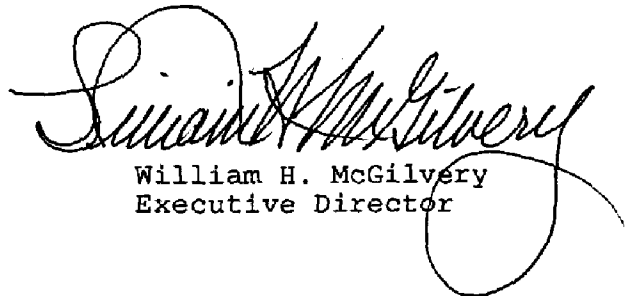
¹ See e.g., In re AM Int'l Express, Inc., No. MP-92-26, Order No. 4005 (Sept. 21, 1992); In re Robert Coates t/a Robert Coates Limo. Serv., No. MP-88-20, Order No. 3249 (Nov. 4, 1988).

Respondent's certificate of authority shall be revoked pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with Articles IV and XII of the Compact, Regulation Nos. 60 and 67, Order No. 3601, and the orders in these proceedings.

THEREFORE, IT IS ORDERED:

1. That Certificate of Authority No. 130 is hereby revoked.
2. That respondent is hereby directed to remove from its vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61.
3. That respondent is hereby directed to file within 30 days from the date of this order a notarized affidavit verifying that respondent has complied with the preceding paragraph.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND SHANNON:



William H. McGilvery
Executive Director